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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/825,506

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Geoffrey T. Barker

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01/10/2008

CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC

1420 FIFTH AVENUE

SUITE 2800

SEATTLE, WA 98101-2347

EXAMINER

AVELLINO, JOSEPH E

ART UNIT

PAPER NUMBER

2143

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/825,506

Applicant(s)

BARKER ET AL.

Examiner

Joseph E. Avellino

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,7-36,38-50 and 52-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,7-36,38-50 and 52-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1, 4, 5, 7-36, 38-50, 52-58 are pending; claims 1, 34, and 48 independent.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 4, 5, 7-36, 38-50, 52-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baxter, Jr. et al. (USPN 6,023,223) (hereinafter Baxter) in view of Horon (USPN 6,229,429).

3. Referring to claim 1, Baxter discloses a method for processing device data in an integrated information system using a central server in communication with two or more geographically distinct sites (the Office construes "geographically distinct" as different areas), the method comprising:

obtaining device data from the two or more geographically distinct sites wherein the monitoring device data corresponds to two monitoring devices with one monitoring device at each site wherein the monitoring data is obtained continuously (i.e. obtain data in real-time from the environmental sensors) (col. 2, lines 55-67);

obtaining one or more monitoring rules corresponding to at least the monitoring device which establish thresholds of monitoring device data that defines a rule violation (i.e. obtaining trigger conditions) (col. 7, line 61 to col. 8, line 21);

processing the monitoring device data at the central server according to the monitoring rules to determine whether a rule threshold has occurred, wherein a rule violation identifies a combination of thresholds for each of the two monitoring devices (i.e. combination of conditions for a geographic location using Boolean operators) (col. 4, lines 1-14);

determining whether the device data exceeds thresholds of information to indicate that a threshold violation has occurred and generating an output indicating that a threshold violation has occurred (i.e. notification via various output devices) (col. 8, lines 1-21)

characterizing the device data (i.e. the incoming data is characterized based on the type of device which sends the data, which inherently characterizes the data according to the characteristics of the data), wherein asset data includes data from an identifiable object that is not capable of independent action (i.e. tectonic or temperature sensor is not capable of independent action) (Figure 1);

obtaining asset rules when the data is characterized as asset data (i.e. rules relating to the tectonic or temperature sensors are obtained when the data to be considered is temperature or tectonic data, the system will not retrieve oil detection rules when considering temperature data) (col. 7, line 61 to col. 8, line 21).

Baxter does not explicitly disclose that the rule violation determines that an unauthorized access to a premises has occurred, or that the data can be characterized as resource or event data. In analogous art, Horon discloses another central monitoring station for a sensor network which discloses a plurality of sensors to determine if an unauthorized access to a premises has occurred (e.g. abstract; col. 1, lines 15-26), the data characterized as resource data capable of independent action (i.e. motion detectors are capable of independent action, since they do not need guidance on how to detect motion) or event data when the device has a defined state (i.e. smoke detector is either on or off) (col. 1, lines 15-26; col. 2, lines 18-35). It would have been obvious to one of ordinary skill in the art to combine the teaching of Horon with Baxter replacing the environmental sensors with the fire/security sensors of Horon in order to realize the benefits as described in Horon, namely to provide various messages from heterogeneous devices in a consistent manner (Horon: col. 2, lines 1-15).

4. Referring to claims 4 and 5, Baxter-Horon discloses the data can be characterized as resource and device data or asset and device data (i.e. smoke detectors are incapable of independent action and have a defined state; access points are capable of independent action, such as opening, and have a defined state, such as open or closed) (Horon: col. 1, lines 15-26).

5. Referring to claim 7, Baxter-Horon discloses the rule violation defines a state (i.e. if the smoke detector detects smoke, then the rule indicates alarm state) (Horon: col. 2, lines 44-51).

6. Referring to claim 8, Baxter-Horon discloses the detection of motion for a motion detector (Horon: col. 1, lines 15-26, recitation of motion detector, the rule would inherently include the detection of motion for a rule violation).

7. Referring to claim 9, Baxter-Horon discloses identifying the monitoring device identifying the data (Horon: device address: col. 6, lines 1-10).

8. Referring to claims 10-14, Baxter-Horon discloses comparing the asset and resource data to a database of known assets and resources (i.e. database) (Horon: col. 3, lines 1-26).

9. Referring to claims 15-17, Baxter-Horon discloses the invention as described above. Baxter and Horon both disclose notification, however do not disclose notification based on a time of day, and a user's preferred notification methods, however these particular features are well known in the art of network monitoring. By this rationale, "Official Notice" is taken that both the concepts and advantages of providing for preferred notifications based on the time of day and a preferred notification method is well known and expected. It would have been obvious to one of ordinary skill in the art

to modify the system of Baxter-Horon to incorporate preferred notifications based on the time of day in order to tailor the system based on who gets notified when there is an alarm.

10. Referring to claim 18, Baxter-Horon discloses wireless notification to a designated user (i.e. pager) (Baxter: Figure 2, ref. 170c).

11. Referring to claim 19, Baxter-Horon discloses initiating an action at a geographically distinct site than where the monitoring device was obtained (i.e. sending a page to the pager) (Baxter: Figure 2, ref. 170c).

12. Referring to claims 20-22, Baxter-Horon discloses the invention as described above. Baxter-Horon does not disclose activating a physical device in a monitored premises, however one of ordinary skill in the art would realize the benefits of sounding a fire alarm when a smoke detector is activated. By this rationale, "Official Notice" is taken that both the concepts and advantages of providing for sounding a fire alarm when a smoke detector is triggered is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to modify the system of Baxter-Horon to sound a fire alarm when the smoke detectors are in an alarm state in order to efficiently notify people in the premises of the alarmed state.

13. Referring to claim 23, Baxter discloses a telephone with a microphone and speaker assembly (Figure 2, ref. 170d).

14. Referring to claim 24, Baxter discloses evaluating other device rules before generating output (i.e. using Boolean operators, multiple thresholds are evaluated before generating an output) (col. 4, lines 1-21; col. 7, line 61 to col. 8, line 21).

15. Referring to claim 25, Baxter-Horon discloses the invention substantially as described in the claims above. Baxter-Horon does not specifically state including a network access monitor which identifies users logged into a computer network. "Official Notice" is taken that both the concept and advantages of providing for a network access monitor to identify users on a network is well known and expected in the art. It would have been obvious to one of ordinary skill to include a network access monitor to the system of Baxter-Horon in order to provide a log as to what users are accessing which particular elements in a computer.

16. Referring to claim 26, Baxter-Horon discloses a movement sensor, and detects when a particular person has moved through a restricted area (i.e. motion detectors) (Horon: col. 1, lines 1-25).

17. Referring to claims 27-30, Baxter-Horon discloses the invention as described in the claims above. Baxter-Horon does not disclose particular elements with monitoring

users in a particular area, however these features are well known. By this rationale, "Official Notice" is taken that both the concepts and advantages of providing for monitoring particular people and identifying people within an area is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to modify the system of Baxter-Horon in order to monitor and track people in order to determine whether or not a user is permitted in a particular area.

18. Referring to claim 31, Baxter discloses obtaining the device data through a distributed communications network (i.e. satellite) (Figure 1).

19. Claims 32-36, 38-50, and 52-58 are rejected for similar reasons as stated above.

Conclusion

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph E. Avellino/
Joseph E. Avellino, Examiner
December 28, 2007